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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,374	05/15/2001	Ramesh Keshavaraj	2086B	9494
7590	04/05/2006		EXAMINER	
Milliken & Company P.O. Box 1927 Spartanburg, SC 29304			SINGH, ARTI R	
			ART UNIT	PAPER NUMBER
			1771	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/855,374

**Applicant(s)**

KESHAVARAJ, RAMESH

**Examiner**

Ms. Arti Singh

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/26/06 has been entered.

***Response to Amendment***

2. The Examiner has carefully considered Applicant's amendments and accompanying remarks dated 01/26/06. Applicant's amendments to claims 1 and 5 have been entered. Applicant's traversal is that the cited references EP 0 794 090 A1 issued to Morton International and that of Amamori (USPN 6168203) do not disclose or suggest an airbag of the variety set forth in the current claims, that is the first fabric blank being substantially rectangular in shape. To this the Examiner contends that Applicant has never defined what is meant by the term substantially rectangular, but has only directed the office to all the drawings and no one in particular. Thus, taking this into consideration the previously cited art rejections are still maintained and an additional rejection has now been added. Applicant's amendment is not found to patently distinguish the claims over the prior art and Applicant's arguments are also not found persuasive of patentability for reasons set forth herein below.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0 794 090 A1 issued to Morton International. If the Examiner's assumption that rectilinear means that one fabric is a bit larger and over laps the second fabric blank then this reference reads on the current claims as it discloses an airbag cushion having superimposing pieces that are sewn together and have extensions (abstract and column 2). An inflator is accounted for (column 1) and the seams may be straight (column 3) and drawings.

5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6168203 issued to Amamori. Amanmori discloses an airbag, which is easily sewn up, and which is capable of providing a large extent of thickness when inflated is formed of two pieces of panels A, B. The panels A, B are superposed on each other and sewn by a seam along sides 1, 2, 3, 11, 12, and 13 so as to make an envelope. Sides 4a, 4b are sewn by a seam 30. The open edges other than the sewn edges of the envelope are sequentially sewn by seams 50 and 60 (abstract). As is shown in Figure 18, reference number 9 indicates the placement for the inflation canister. Thus USPN 6,168,203 anticipates an airbag cushion having at least two fabric blanks superimposed upon one another and connected via at least one seam and has an opening for the insertion of the inflation canister.

6. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4944529 issued to Backhaus. Backhaus teaches in a preferred embodiment thereof, provides for an inflatable protective cushion comprising a pair of superposed quadrilateral and substantially congruent impact absorbing web members joined to each other along a first pair of opposite margins and extending at a second pair of opposite margins positioned angularly relative to said first pair into side web means folded substantially symmetrically along a fold line

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positioned between said web members. The quadrilateral web members may be of generally rectangular or trapezoidal configuration. The configuration of the side web means in their flat, spread-out state may be a rectangle, a trapezoid, a triangle, or a trapezium.

Advantageously, upper and lower marginal portions of the side web means are joined to the first pair of opposite margins of the web members. The web members and the side web means may be integral with each other and may be formed into a cushion by no more than two horizontal seams joining said impact absorbing web members along said first pair of opposite margins and two seams extending at predetermined angles relative to said horizontal seams and joining said side web means. In a preferred embodiment, only one vertical seam is required which is advantageously positioned centrally of one of the quadrilateral web members. In a preferred embodiment the vertical seam is positioned centrally of the web member facing in the direction of potential impact (column 2). In the figures refer to reference number 14 for the opening where the canister is to placed.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-F 9-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ms. Arti Singh  
Primary Examiner  
Art Unit 1771

Ars 04/03/06